

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

WESLEY ANTWAN GULLEY,)	
)	
Plaintiff,)	
)	
v.)	No. 3:12-cv-371
)	PHILLIPS/SHIRLEY
MICHAEL A. LAPAGLIA, MD.,)	
METHODIST MEDICAL CENTER OF OAK)	JURY DEMANDED
RIDGE, TEAM HEALTH, INC.,)	
SOUTHEASTERN EMERGENCY)	
PHYSICIANS, INC., TAMMY JONES, R.N.,)	
JAMES T. AKAGI, JOHN THOMAS, MAX)	
SMITH, JOHN DOES - CITY OF OAK)	
RIDGE POLICE DEPT, JOHN DOES –)	
METHODIST MEDICAL CENTER)	
)	
Defendants.)	

STIPULATION OF VOLUNTARY DISMISSAL WITH PREJUDICE

Now comes the Plaintiff, by and through counsel, and files this voluntary dismissal with prejudice of his action against all City Defendants including the City of Oak Ridge, City of Oak Ridge Police Department, James T. Akagi, John Thomas, and Max Smith, pursuant to Federal Rule of Civil Procedure 41(a)(ii). This is entered with prejudice effective immediately upon filing. No admission of liability has been made by these Defendants, and no judgment has been entered against any of them. The Plaintiff further stipulates that this action is not subject to the provisions of the Federal Rule of Civil Procedure 23(e), Federal Rule of Civil Procedure 66, or any statute of the United States prohibiting voluntary dismissal of this action with prejudice. The City Defendants shall not be responsible for any of the Plaintiff's costs or fees, discretionary and otherwise, including Plaintiff's attorney fees.

RESPECTFULLY submitted this 16th day of May, 2013.

WESLEY GULLEY

/s Robert L. Jolley, Jr.

ROBERT L. JOLLEY, JR., BPR No. 4707
800 S. Gay Street, Suite 2100
Knoxville, Tennessee 37929

R. ARTHUR JENKINS, BPR No. 020153
THE JENKINS LAW FIRM
P.O. Box 30104
Knoxville, Tennessee 37930

PETER ALLIMAN, BPR No. 5984
WHITE, CARSON & ALLIMAN
135 College Street
Madisonville, Tennessee 37354

MICHAEL W. RITTER, BPR No. 12229
103 W. Tennessee Ave
Oak Ridge, Tennessee 37830

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system:

Debra Anne Thompson
Raymond G. Lewallen, Jr.
BAKER, O'KANE, ATKINS &
THOMPSON
2607 Kingston Pike Ste 200
PO Box 1708
Knoxville, TN 37901-1708

F. Michael Fitzpatrick
Rachel Park Hurt
ARNETT, DRAPER & HAGOOD
2300 First Tennessee Plaza
PO Box 300
Knoxville, TN 37901-0300

Daniel H. Rader III
MOORE, RADER, CLIFT &
FITZPATRICK
46 North Jefferson Avenue
Cookeville, Tennessee 38501

Benjamin K. Lauderback
WATSON, ROACH, BATSON, ROWELL
& LAUDERBACK, PLC
P. O. Box 131
Knoxville, Tennessee 37901-0131

Heidi A. Barcus
London & Amburn PC
607 Market St Ste 900
Knoxville, TN 37902

James G. O'Kane
Baker, O'Kane, Atkins & Thompson
2607 Kingston Pike Ste 200
PO Box 1708
Knoxville, TN 37901-1708

Dated this 16th day of May, 2013.

/s Robert L. Jolley, Jr.
Robert L. Jolley, Jr. BPR No. 4707